



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/669,771	09/26/2000	Kouichi Mizukami	10517/73	3237

7590

07/26/2004

Kenyon & Kenyon
One Broadway
New York, NY 10004

EXAMINER

BOTTORFF, CHRISTOPHER

ART UNIT	PAPER NUMBER
----------	--------------

3618

DATE MAILED: 07/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/669,771

Applicant(s)

MIZUKAMI ET AL.

Examiner

Christopher Bottorff

Art Unit

3618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/7/04, 6/9/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The amendment filed May 7, 2004 has been entered. Claims 7 and 8 are canceled. Claims 1-6 and 10 are pending.

Information Disclosure Statement

The information disclosure statements (IDSs) submitted on May 7, 2004 and June 9, 2004 were considered by the examiner.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the meter unit" in lines 19, 24-25, and 27-28. Claim 10 also recites the limitation "the meter unit" in lines 14, 19-20, and 22-23. There is insufficient antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

Art Unit: 3618

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ford Taurus & Mercury Sable Haynes Repair Manual (Taurus) in view of Takayama et al. US 6,119,060, Maue et al. US 5,785,532, and Toshihiro et al. JP 64-30856.

Taurus teaches a structure in a motor vehicle that includes an engine control computer (ECA; see the discussion in column 3 of page 6-1), a relay block (item 6 in figure 4.2 indicates the presence of relays within the vehicle), a junction box in a cabin of the vehicle (see the box housing the fuse unit in figure 4.1), an ABS actuator (see the discussion on page 9-16), a meter unit in the cabin (any instrument panel gauge), a partition wall that separates the engine room and the cabin from each other (depicted in figure 1.2b), and a brake system (depicted in figure 1.2b). These components are concentrated within the vehicle body.

Although the claims broadly define the generally centralized region, the disclosure suggests that the components are arranged along the longitudinal centerline of the vehicle. Taurus does not disclose the engine control computer, the relay block, the junction box, the meter unit, and the ABS actuator as being located in a generally centralized region as broadly defined in the claims, or along the centerline as suggested by the disclosure. Taurus does not disclose that the locations of the engine control computer, the relay block, the junction box, and the ABS actuator are the same when the vehicle is a right-hand drive vehicle as when the vehicle is a left-hand drive vehicle.

Taurus does not disclose that the engine control computer, the relay block, the junction box, and the meter unit are located at a substantially same height. Taurus does not disclose that the engine control computer, the relay block, and the ABS actuator are located on the engine room side of the partition wall. Taurus does not disclose each of the engine control computer, the relay block, the junction box, the meter unit, and the ABS actuator are connected via one of a plurality of harnesses, and some of the harnesses pass through holes formed in a generally central portion of the partition wall. Taurus also does not teach the junction box and relay block being constructed as an integral assembly and mounted at least partly in a cowl.

However, Takayama et al. teaches that the practice of concentrating electrical components along the longitudinal centerline and on a dash cross member of a vehicle was old and well known in the art at the time the invention was made. See figures 1 and 2; lines 30-34 of column 3; and lines 36-43 of column 17. From the teachings of Takayama et al., concentrating the above components of Taurus along the longitudinal centerline would have been obvious to one of ordinary skill in the art at the time the invention was made. This would improve the efficiency of the assembly process. Locating these components along the centerline would necessarily locate the components within the generally centralized region of the vehicle as defined in the claims. In addition, locating these components along the centerline would necessarily ensure that there locations would be the same when the vehicle is a right-hand drive vehicle as when the vehicle is a left-hand drive vehicle.

Takayama et al. further teaches arranging the electrical components at a height that is substantially the same. See Figures 1 and 2; lines 30-34 of column 3; and lines 17-25 of column 9. Also, Takayama et al. also suggests connecting the components via harnesses. See Figures 68 and 69. From the further teachings of Takayama et al., locating the engine control computer, the relay block, the junction box, and the meter unit at a substantially same height would have been obvious to one of ordinary skill in the art at the time the invention was made. This would allow the components to be efficiently assembled and electrically connected.

In addition, Maue et al. teaches that the practice of locating the engine control computer, the relay block, and the ABS actuator on the engine room side of the partition wall was old and well known in the art at the time the invention was made. See Figure 5; column 3, lines 20-22; and 28-36, and column 4, lines 11-12. Maue et al. also teaches that the practice of connecting electrical components via harnesses 80, 82 was old and well known in the art at the time the invention was made. See Figure 5 and column 3, lines 20-22 and 28-36.

From the teachings of Maue et al., locating the engine control computer, the relay block, and the ABS actuator of Taurus on the engine room side of the partition wall would have been obvious to one of ordinary skill in the art at the time the invention was made. This would allow these components to be serviceable from within the engine compartment. From the further teachings of Maue et al., connecting each of the engine control computer, the relay block, the junction box, the meter unit, and the ABS actuator via one of a plurality of harnesses would have been obvious to one of ordinary skill in

the art at the time the invention was made. This would enable the effective distribution of electricity to the components.

Furthermore, Toshihiro et al. teaches that the practice of connecting electrical components via harnesses 7, 12, with a harness passing through a hole 5d formed in a generally central portion of a partition wall 3, was old and well known in the art at the time the invention was made. See Figures 1 and 2. From the teachings of Toshihiro et al., connecting each of the engine control computer, the relay block, the junction box, the meter unit, and the ABS actuator via one of a plurality of harnesses, with some of the harnesses passing through holes formed in a generally central portion of a partition wall, would have been obvious to one of ordinary skill in the art at the time the invention was made. This would enable the effective distribution of electricity to the components, including the components on opposing sides of the partition wall.

Also, Toshihiro et al. further teaches a vehicle body having a cowl (fig.1 and 2) formed in the vicinity of a partition wall 3, and wherein a relay block (10) and a junction box (4) are formed as an integral assembly and mounted at least partly in the cowl. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to make the junction box and relay block of Taurus as an integral unit and place them within a cowl member in the vicinity of the partition wall, as taught by Toshihiro et al., because it would facilitate the check of wiring and the replacement of fuses (see Toshihiro, "Constitution").

Moreover, rearranging the placement of components within a vehicle would not modify their operation and represents an obvious design choice. See *In re Japikse*, 86

USPQ 70 (CCPA 1950) and *In re Kuhle*, 188 USPQ 7 (CCPA 1975). This rearrangement would improve the efficiency of the assembly process.

Response to Arguments

Applicant's arguments filed May 7, 2004 have been fully considered but they are not persuasive. Contrary to Applicants' assertion, the references do render obvious claims 1-6 and 10 as discussed in the above rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Bottorff whose telephone number is (703) 308-2183. The examiner can normally be reached on Mon.-Fri. 7:30 a.m. - 4:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Johnson can be reached on (703) 308-0885. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

Application/Control Number: 09/669,771
Art Unit: 3618

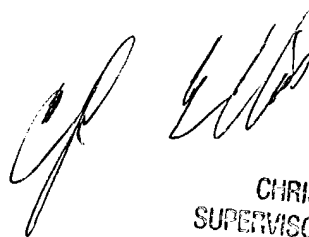
Page 8

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the
Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Christopher Bottorff



CHRISTOPHER P. ELLIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600